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COMMERCE & TRANSPORT (TRANSPORT) DEPARTMENT

NOTIFICATION

The 25th February, 2013

No.2097-FE-14/2013/T.— In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and in supersession of the Rules, Regulations, Orders or Instructions; except as respects things done or omitted to be done before such supersession, the Governor of Odisha here by makes the following rules regulating the method of recruitment and conditions of service of persons appointed to the Odisha Motor Transport, Traffic and Enforcement Services, namely:—

1. Short title and commencement: (1) These rules may be called the Odisha Transport-Traffic and Enforcement (Method of Recruitment and Conditions of Service) Rules, 2013

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

2. Definitions: (1) In these rules, unless the context otherwise requires—

- (a) “*Commission*” means Odisha Public Service Commission.
- (b) “*Committee*” means Departmental Promotion Committee constituted under rule 9;
- (c) “*Ex-servicemen*” means persons as defined in the Odisha Ex-servicemen (Recruitment to State Civil Services and Posts) Rules, 1985;
- (d) “*Government*” means the Government of Odisha;
- (e) “*Persons with Disabilities*” means persons who have been granted with disability certificate by competent authority as per the provisions of the Persons with Disabilities (Equal Opportunities, Protection of Right, and Full Participation) Odisha Rules, 2003;
- (f) “*Schedule*” means the Schedule appended to these rules;

- (g) "Scheduled Castes and Scheduled Tribes:" shall have reference to the Scheduled Castes and Scheduled Tribes specified in the Constitution (Scheduled Castes) Order, 1950 and the Constitution (Scheduled Tribe) Order, 1950 as the case may be, made under Articles 341 and 342 of the Constitution of India, respectively and as amended from time to time;
- (h) "SEBC" means the Socially and Educationally Backward Classes of citizens as referred to in Clause(e) of Section 2 of the Odisha Reservation of Posts and Services(For Socially and Educationally Backward Classes) Act, 2008.
- (i) "Service" means the Odisha Transport, Traffic and Enforcement Service;
- (j) "Sportsmen" means persons who have been issued with Identity Card as sportsmen by the Director of Sports as per the Resolution No. 24808/Gen., dated the 18th November, 1985 of General Administration Department
- (k) "State" means the State of Odisha; and
- (l) "Year" means the calendar year.

(2) All other words and expressions used in these rules but not specifically defined shall, unless the context otherwise require, have the same meaning as respectively assigned to them in the Odisha Service Code.

3. Composition of Service: The service shall consist of the following categories of posts, namely:—

- (a) Deputy Superintendent (Traffic);
- (b) Inspector (Traffic);
- (c) Sub-Inspector (Traffic);
- (d) Assistant Sub-Inspector (Traffic); and
- (e) Traffic Constable;

4. Methods of Recruitment: Subject to other provisions made in these rules recruitment to the posts in the service shall be made by the following methods, namely:—

- (a) In respect of the post of Deputy Superintendent (Traffic), Inspector (Traffic) and Asst. Sub Inspector (Traffic) by promotion;
- (b) In respect of the post of Sub-Inspector (Traffic) fifty percent of the post shall be filled up by way of promotion and the remaining fifty per-cent by way of Direct Recruitment to be conducted by the Odisha Staff Selection Commission:

Provided that where adequate numbers of Departmental candidates are not available for promotion in any year, the resultant vacancy shall be filled up by direct recruitment; and

(c) In respect of Traffic Constable by direct recruitment.

5. Reservation: Notwithstanding anything contained in these rules reservation of vacancies or posts, as the case may be, for—

- (a) Scheduled Castes and Scheduled Tribes shall be made in accordance with the provisions of the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made there under; and
- (b) SEBC, women, sportsmen and Ex-servicemen shall be made in accordance with the provisions made under such Act, Rules, Orders or Instructions issued in this behalf by the Government from time to time.

Provided that the persons with disability shall not be eligible for recruitment to the service.

6. Eligibility Criteria for Direct Recruitment: In order to be eligible for direct recruitment a candidate shall —

- (a) be a citizen of India;
- (b) have attained the age of 21 years and must not be above the age of 32 years on the 1st day of January of the year of recruitment:

Provided that the upper age limit in respect of reserved categories of candidates referred to in rule 5 shall be relaxed in accordance with the provisions of the Act, Rules, Orders or Instructions, for the time being in force, for the respective categories;

- (c) be able to read, write and speak Odia; and have—
 - (i) passed Middle School Examination with Odia as a language subject; or
 - (ii) passed Matriculation or Equivalent Examination with Odia as medium of examination in non-language subject; or

(iii) passed in Odia as language subject in the final examination of Class VII from a school or educational institution recognized by the Government or the Central Government; or

(iv) passed a test in Odia in Middle English School Standard conducted by the School & Mass Education Department;

(d) If married, must not have more than one spouse living:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person or there are other grounds for doing so, exempt any person from the operation of this rule;

(e) be of good mental condition and bodily health and free from any physical defect likely to interfere with the discharge of his duties in the service. A candidate, who after such medical examination as the Government may prescribe, is not found to satisfy these requirements shall not be appointed to the service;

(f) **Minimum Educational Qualification:**

(i) **For the Post of Sub-Inspector(Traffic):** He/She must have passed a Bachelor's degree from any recognized University or Institution in Arts, Science, Commerce, Engineering or Law or possess such other educational qualification equivalent to such degree, obtained from a University established by an Act of the Parliament or State Legislature or other Educational Institutions established by an Act of Parliament or the State Legislature or declared to be deemed as Universities under section 3 of the University Grants Commission Act, 1956; and

(ii) **For the Post of Traffic Constable:** He/She must have passed at least +2 examination or equivalent examination conducted by any recognized Board/University/ Institution.

(g) Physical Standard for direct recruitment: He/She must have possessed the following physical standards. (both for Traffic Constable and Sub- Inspector (Traffic))

Category	Height	Weight	Chest un-expanded	Chest expanded
GENERAL/SEBC(Men)	168cm	55kg	79 cm	84cm
GENERAL/SEBC(Women)	158cm	47.5kg	-	-
SC/ST(Men)	163cm	50kg	76 cm	81cm
SC/ST(Women)	153cm	45kg	-	-

Candidates who have qualified in the physical standard prescribed above will be required to undergo the following test;

<u>Item</u>	<u>Men(all category)</u>	<u>Women(all category)</u>
Running 1.6 kilometer	in 6 minutes 30Sec.	in 8minutes 30 Sec.
Cycling 1.6 kilometer	in 4 minutes 30 Sec.	in 7 minutes

- (h) Measurement of physical standard and physical test will be conducted by a Board constituted by the Odisha Staff Selection Commission for the post of Sub-Inspector (Traffic) and by the Odisha Sub-ordinate Staff Selection Commission for the post of Traffic Constables, the decision of which shall be final. These measurements/tests are only qualifying in nature.

7. Procedure for direct recruitment:

(1) For Sub-Inspector (Traffic) :

- (a) The Transport Commissioner, Odisha shall intimate each year vacancy position to the Odisha Staff Selection Commission(in short OSSC) indicating the posts reserved for candidates belonging to the categories of Scheduled Caste, Scheduled Tribe, Socially and Educationally Backward Classes, Ex-servicemen, Sportsmen and Women.
- (b) The Odisha Staff Selection Commission shall, on receipt of the vacancy position from the Transport Commissioner announce and invite application from the candidates eligible to appear at the examination through open advertisement at least in two vernacular dailies.
- (c) The manner of submission of application, the date on which and the place at which the examination will be held and the scheme of examination and the syllabus under clause (d) shall be notified by the Odisha Staff Selection Commission.
- (d) The scheme of examination and the syllabus shall be as prescribed in the Schedule-I.
- (e) The candidates who qualify in the written examination will be called for physical test. The candidates who qualify in physical test shall be called for *viva voce* test in order of merit in the written examination.

- (f) After completion of *viva voce* test the Odisha Staff Selection Commission shall prepare a panel of names containing selected candidates equal to the number of advertised vacancies, in order of merit, on the basis of the total marks secured in written examination and *viva voce* and forward the same to the Transport Commissioner, Odisha.

(2) For the Post of Traffic Constable:—

- (a) The Transport Commissioner shall intimate the number of vacancies to the Odisha Sub-Ordinate Staff Selection Commission (in short OSSSC), in each year indicating therein the posts to be reserved for SC, ST, SEBC, Ex-Servicemen, Sportsmen and Women .
- (b) The Odisha Sub-Ordinate Staff Selection Commission, shall on receipt of the vacancy position from the Transport Commissioner, announce and invite application from the candidates eligible to appear in the examination through open advertisement at least in two vernacular dailies.
- (c) The manner of submission of application, the date on which and the place at which the examination will be held shall be decided and notified by the Odisha Sub-Ordinate Staff Selection Commission.
- (d) All the eligible candidates shall be called for verification of their physical standard as envisaged under clause (g) of rule 6 of this rule. The candidates who have the required physical standard shall be allowed to appear for the physical test to be conducted by the Odisha Sub-Ordinate Staff Selection Commission and those who qualify in the physical test shall be called for written examination.

The written examination shall be of 85 marks which shall consist of questions in Odia language, English language, Arithmetic, General Knowledge etc. of +2 Standards. There shall be a career marking of 15 marks for performance in +2 certificate or equivalent examination which will be evaluated as follows:—

60% and above-15 Marks

50% and above-10 Marks

40% and above -5 Marks

Below 40% -No Mark

- (e) After completion of recruitment process, the Odisha Sub-Ordinate Staff Selection Commission shall prepare a panel of names containing selected candidates equal to the number of advertised vacancies, in order of merit, on the basis of the total marks secured in written examination and career marking and forward the same to the Transport Commissioner, Odisha.

8. Eligibility criteria for Promotion:

(1) Promotion to the post of Deputy Superintendent (Traffic) shall be made from amongst the Inspectors (Traffic) who have completed at least five years of continuous service as such.

(2) Promotion to the post of Inspector (Traffic) shall be made from amongst the Sub-Inspectors (Traffic) who have completed at least ten years of continuous service as such.

(3) Promotion to the post of Sub-Inspectors (Traffic) shall be made from amongst Assistant Sub-Inspectors (Traffic) who have completed at least five years of continuous service as such.

(4) Promotion to the post of Assistant Sub-Inspectors (Traffic) shall be made from amongst the Traffic Constables who have completed at least seven years of continuous service as such;

9. Constitution of Committee:

(1) There shall be a Committee constituted for consideration of cases of Officers for Promotion with the following members, namely:—

(a) For the post of Sub-Inspector (Traffic) and Asst. Sub-Inspector (Traffic):

- | | |
|--|-------------------|
| (i) Transport Commissioner | : Chairman |
| (ii) An Officer not below the rank of Deputy Secretary to Government, Commerce & Transport (Transport) Department in charge of Establishment | : Member |
| (iii) A representative of ST & SC Development Deptt not below the rank of Deputy Secretary | : Member |
| (iv) Additional Commissioner, Transport (Admn.) | : Member-Convenor |

(b) For the post of Inspector (Traffic):

- (i) Secretary to Government, Commerce & Transport Department. : Chairman
- (ii) Transport Commissioner : Member
- (iii) A representative of ST & SC Development Department not below the rank of Deputy Secretary. : Member
- (iv) An Officer not below the rank of Deputy Secretary to Government, Commerce & Transport (Transport) Department in charge of Establishment. : Member-Convenor

(c) For the post of Deputy Superintendent (Traffic) :

- (i) Chief Secretary : Chairman
- (ii) Secretary to Government, Commerce & Transport Department. : Member
- (iii) Transport Commissioner : Member
- (iv) Secretary/ Special Secretary of ST & SC Development Department. : Member
- (v) An Officer not below the rank of Deputy Secretary to Government, Commerce & Transport (Transport) Department in charge of Establishment. : Member-Convenor

(2) The Committee shall meet at least once in a year preferably in the month of January to prepare a list of officers suitable for promotion to the next higher grade.

(3) The Committee while considering the promotion cases of suitable officers and preparation of the list shall follow the provisions of—

- (a) the Odisha Reservation of Vacancies in Posts and Services(for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made thereunder, wherever necessary;
- (b) the Odisha Civil Services(Zone of Consideration for Promotion) Rules, 1988;
- (c) the Odisha Civil Services(Criteria for Promotion) Rules, 1992; and

(d) the Odisha Civil Services(Criteria for Selection for Appointment including Promotion) Rules, 2003.

(4) The recommendation of the Committee shall be valid and can be operated upon notwithstanding the absence of any one of its members other than the Chairman:

Provided that the member so absenting was duly invited to attend the meeting of the Committee and the majority of members of the Committee attended the meeting.

10. Consultation with the Commission:

(1) The recommendations of the Committees under rule 9, in respect of Group A and Group B Posts shall be referred to the Commission for concurrence along with a list of all eligible candidates, including those who have not been recommended together with the service particulars.

(2) The Commission shall consider the list along with the service particulars received under sub-rule (1) and shall furnish its recommendations to the Government.

11. Select List- (1) The recommendations of the commission in respect of reference made to it under sub-rule (1) of rule 10 and the merit list prepared by the Odisha Staff Selection Commission and Odisha Sub-Ordinate Staff Selection Commission under clause (f) of sub-rule (1) of rule 7 and clause (e) of sub- rule (2) of rule7 shall be considered by Government and the Transport Commissioner respectively and the list approved by them shall form the select list.

(2) A select list shall ordinarily be in force for a period of one year from the date of its approval by the Government /Transport Commissioner or until another select list is prepared afresh, whichever is earlier.

(3) Appointment to any post in the service shall be in the order in which their names appear in the final select list.

12. *Inter-se-seniority*–The *inter-se seniority* of the persons appointed to any post in the service in a particular year shall be in the order in which their names appear in the select list:

Provided that in the grade of Sub-Inspectors (Traffic) persons appointed by way of promotion in a year shall enbloc/be senior to the direct recruit in that particular year.

13. Probation and Confirmation—(1) Every person appointed to any post in the service by direct recruitment shall be on probation for a period of two years and when appointed on promotion shall be on probation for a period of one year from the date of joining the post:

Provided that the Appointing Authority may, if think fit in any case or class of cases, extend the period of probation:

Provided further that such period of probation shall not include—

- (a) Extraordinary leave;
- (b) Period of unauthorized absence' or
- (c) Any other period held to be not being on actual duty.

(2) The appointment of a probationer may for good and sufficient reasons to be recorded in writing, be terminated by the Government in respect of Group-A and B Officers and by Transport Commissioner in respect of Sub-Inspector (Traffic), Asst. Sub-Inspector (Traffic) and Traffic Constables at any time without previous notice during the period of probation including extension of such period, if any, and after such termination, the employee shall deem to be reverted to his/her former post, if he/she is a promotee.

(3) A probationer shall have to pass the Departmental examination, if any, during the period of probation.

(4) A probationer after successful completion of the period of probation to the satisfaction of the Government/Transport Commissioner, as the case may be, shall be eligible for confirmation subject to the availability of substantive vacancy.

14. Training and Departmental Examination:

(1) Every person appointed to any post shall undergo a training of one month duration in Government Driving Training School, Bhubaneswar and shall have to successfully pass the driving test.

(2) Every person, shall on appointment to the service, undergo such period of training and such Departmental examinations as may be decided by the appointing authority from time to time.

(3) All persons appointed to the post of Sub-Inspector (Traffic) shall be required to pass Departmental examination as per the syllabus and scheme of examination contained in the Schedule-II.

(4) If a person appointed to the service fails to pass the Departmental examination in three successive chances he shall be liable for reversion to his previous post if he is a person other than a direct recruit or to be discharged from the service if he is a direct recruit.

15. Other condition of Service: The conditions of service in regard to matters not covered by these rules shall be governed by Rules and Circulars issued by Government from time to time.

16. Relaxation: Where the Government are of the opinion that it is necessary or expedient so to do, it may, by order and for reasons to be recorded in writing, relax any of the provisions of these rules in respect of any class or category of employees in public interest.

17. Interpretation: If any question arises relating to the interpretation of these rules, it shall be referred to the Government whose decision thereon shall be final.

SCHEDULE-I

[See rule 7(1)(d)]

SCHEME OF EXAMINATION AND SYLLABUS

1. (i) There shall be different tests for total marks of 330 for direct recruitment to the post of Sub-Inspector (Traffic).

(ii) Allocation of marks for different tests of direct recruitment shall be as follows:—

(a) Written test ... 300 marks

(b) Viva Voce Test ... 30 marks

2. In order to short list the candidates, the Commission may hold preliminary examination.

3. Written Examination:

- (i) The written examination shall consist of the following subject carrying full marks as noted against each—

<u>Subjects</u>	<u>Full Marks</u>
Arithmetic	100
English	100
General Knowledge	100

- (ii) The duration of examination in each subject shall be as fixed by the Commission.

- (iii) Standard and Syllabus for the written test shall be decided by the Commission in consultation with The Transport Commissioner.

- (iv) The Commission in its discretion may prescribe minimum cut off marks in each paper and in aggregates to qualify for the viva voce test.

3. **Viva Voce Test:** This test shall consist of 30 marks and shall be conducted for assessing the suitability of the candidates including their general outlook and personality.

SCHEDULE-II

[See rule 14 (3)]

Subject and Standard of Examination: The examination shall consist of the following two papers of three hours duration each. Out of the total number of marks to be assigned in each paper at least 50 per cent thereof shall be secured to pass the examination:

A. PAPER-I-(Total Marks-100)

The question in Paper-I shall be intended to test the candidate's knowledge on the following:—

- (i) The Motor Vehicles Act, 1988 and rule made thereunder;
- (ii) The Central Motor Vehicles Rules, 1989;
- (iii) The Odisha Motor Vehicles Rule, 1993;
- (iv) Traffic Regulation and Road Safety.

B. PAPER-II-(Total Marks-100)

- (i) The Odisha Motor Vehicles Taxation Act, 1975 and rules made thereunder;
- (ii) Manner of Calculation of Tax and Fee; and
- (iii) Manner of Writing Vehicle Checking Report.

By Order of the Governor

G. MATHI VATHANAN

Commissioner-*cum*-Secretary to Government